



478.1078 *JKW*

UNITED STATES PATENT & TRADEMARK OFFICE

Re: Application of: Matthew Neil SARKAR, et al.
Serial No.: 10/571,512
Filed: March 10, 2006
For: **BREATH ACTUATED VALVE**



MAIL STOP: MISSING PARTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 30, 2006

RESPONSE TO ANTICIPATED NOTICE TO FILE MISSING PARTS

Sir:

In Anticipation of a Notice to File Missing Parts, please find an executed Declaration and Power of Attorney form signed by the inventors, and a check in the amount of \$130.00 covering the surcharge.

If any additional fees are deemed to be due at this time, the Assistant Commissioner is authorized to charge payment of the same to Deposit Account No. 50-0552.

06/06/2006 CN6UYEN2 00000026 10571512

01 FC:1051

130.00 OP

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By _____

Cary S. Kappel
Cary S. Kappel
Reg. No. 36,561

Davidson, Davidson & Kappel, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
(212) 736-1940

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on May 30, 2006

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *Jenni Bay*

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450
Box: Missing Parts



In re application of: Matthew Neil ~~SANTRAC~~, et al.

Serial No.: 10/571,512

Filed: March 10, 2006

For: **BREATH ACTUATED VALVE**

Sir:

Transmitted herewith is an **Response to Anticipated Notice to File Missing Parts** in the above-identified application.

[] Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
 [] Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
 [X] No fee for additional claims is required.
 [] A filing fee for additional claims calculated as shown below, is required:

(Col. 1)	(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
	FOR:	REMAINING	HIGHEST	PRESENT		RATE	FEES
	AFTER		PREVIOUSLY	PRESENT			
	AMENDMENT	PAID FOR		EXTRA			
TOTAL CLAIMS	* Minus**	=		X0\$	\$	X \$	\$
INDEP. CLAIMS	* Minus***	=		X0\$	\$	X \$	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				X \$	\$	X \$	\$
				TOTAL: \$		OR TOTAL: \$	

* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

[X] Also transmitted herewith are:
 [] Petition for extension under 37 C.F.R. 1.136
 [X] Other:- **Copy of Notice to File Missing Parts; and**
 - Executed Declaration and Power of Attorney

[X] Check(s) in the amount of **\$130.00** is attached to cover:
 [] Filing fee for additional claims under 37 C.F.R. 1.16
 [] Petition fee for extension under 37 C.F.R. 1.136
 [X] Other: - **Surcharge.**

[X] The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.

[X] Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 [X] Any patent application processing fees under 37 C.F.R. 1.17.
 [X] Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

[Handwritten signature]
 Cary S. Kappel, Reg. No. 36,561
 DAVIDSON, DAVIDSON & KAPPEL, LLC
 485 Seventh Avenue, 14th Floor
 New York, New York 10018
 Tel: (212) 736-1940
 Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to "Commissioner for Patents, Alexandria, VA 22313-1450" on May 30, 2006.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *Jenni Bals*